

201-15565



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 11 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Edwin L. Mongan, III
Manager, Environmental Stewardship
DuPont
Safety, Health & Environment Excellence Center
1007 Market Street, DuPont 6082
Wilmington, Delaware 19898

Dear Mr. Mongan:

Thank you for your letters dated July 16, 2003 to the U.S. Environmental Protection Agency (EPA) regarding the EPA's High Production Volume (HPV) Challenge Program. We apologize for the delay in responding.

One of your letters requests that Cyclohexane, oxidized, non-volatile residue (CAS No. 68411-76-7) and Nickel, bis[(cyano-C)triphenylborato(1-)-N]bis(hexanedinitrile-N, N')- (CAS No. 83864-02-2) be removed from EPA's HPV Challenge Program Chemical List.

As you know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its Chemical Right-to-Know (ChemRTK) website (www.epa.gov/chemrtk) in March 1999. Among the prerequisites to be considered for removing a chemical from the HPV Challenge Program is that the chemical does not meet Inventory Update Rule (IUR) reporting requirements for the two most recent reporting years, in this case 1998 and 2002. Based on our review of pertinent IUR reporting data for these years, EPA has determined as follows:

Nickel, bis[(cyano-C)triphenylborato(1-)-N]bis(hexanedinitrile-N, N')- (CAS No. 83864-02-2) **does not meet** the no longer HPV criteria because it was reported in 1998 above the equal to or greater than 1 million pounds per year threshold.

Cyclohexane, oxidized, non-volatile residue (CAS No. 68411-76-7) **does meet** the no longer HPV criteria. The HPV Challenge Program Chemical List will be annotated by designating this chemical with a "5" to indicate that it is no longer HPV.

We will post this letter, accompanied by our reply, on the ChemRTK website as soon as possible as a means of advising the public that Dupont no longer manufactures or imports either of the above chemicals.

Your second letter requests that DuPont be removed as a sponsor for Isophalyol Chloride (CAS No. 99638) under the US HPV Program and that this chemical be added to the list of DuPont's ICCA HPV commitments. This change has been instituted and annotated with a "4" on the HPV Challenge Program Chemical List. This letter, along with your email of August 4, 2004 correcting the CAS Number in your original letter, will also be posted on the ChemRTK website.

Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-4770. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via e-mail at tsc hotline@epa.gov.

Sincerely,

Wardner G. Penberthy
Acting Director
Chemical Control Division

cc: AR201